

Etan Zaitso [CA SBN 287106]
Attorney at Law

Zaitso Law
331 J Street, Suite 200
Sacramento, CA 95814
(916) 542-0270
etan@zaitso.com

Attorney for Defendant
REGINALD THOMAS

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

REGINALD THOMAS,

Defendant.

Case No.: 2:20-CR-00012 MCE

**STIPULATION AND ORDER
CONTINUING STATUS
CONFERENCE**

Date: October 7, 2021
Time: 10:00a.m.
Court: Hon. Morrison C. England, Jr.

STIPULATION

Defendant Reginald Thomas, by and through his counsel of record, and Plaintiff United States of America, by and through its counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 7, 2021.
2. By this stipulation, defendant now moves to continue the status conference until October 21, 2021, and to exclude time between October 7, 2021, and October 21, 2021, under Local Code E and T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a. The government has represented that the discovery associated with this case

1 includes numerous reports and related documents, photographs, audio
2 recordings, and videos. All of this discovery has been either produced directly
3 to counsel and/or made available for inspection and copying.

4 b. New counsel for the defendant was appointed on June 22, 2021. Counsel for
5 defendant desires additional time to conduct investigation and research related
6 to the charges, review discovery for this matter, to discuss potential resolutions
7 with his client, and to otherwise prepare for trial.

8 c. Counsel for defendant has also filed a motion to dismiss in the defendant's
9 related case (2:11-CR-00216), proposed to be heard on October 21, 2021.
10 Defense counsel has represented that the resolution of that motion affects
11 decisions moving forward in this case.

12 d. Counsel for defendant believes that failure to grant the above-requested
13 continuance would deny him the reasonable time necessary for effective
14 preparation, taking into account the exercise of due diligence. Additionally,
15 because a motion to dismiss has been filed in the defendant's related case, the
16 resolution of which impacts decisions in this case, it is appropriate for the Court
17 to continue this matter pursuant to 18 U.S.C. § 3161(h)(1)(D).

18 e. The government does not object to the continuance.

19 f. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. §
20 3161, et seq., within which trial must commence, the time period of October 7,
21 2021 to October 21, 2021, inclusive, is deemed excludable pursuant to 18
22 U.S.C. § 3161(h)(1)(D) [Local Code E] and also under § 3161(h)(7)(A), B(iv)
23 [Local Code T4] because it results from a continuance granted by the Court at
24 defendant's request on the basis of the Court's finding that the ends of justice
25 served by taking such action outweigh the best interest of the public and the
26 defendant in a speedy trial.
27
28

- 1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period
3 within which a trial must commence.

4 IT IS SO STIPULATED.

5
6 Dated: October 4, 2021

/s/ ETAN ZAITSU

7
8 ETAN ZAITSU
Counsel for Defendant
REGINALD THOMAS

9
10
11
12 Dated: October 4, 2021

PHILLIP A. TALBERT
Acting United States Attorney


13
14
15 /s/ TANYA B. SYED

16 TANYA B. SYED
Assistant United States Attorney

17
18
19 **ORDER**

20 IT IS SO ORDERED.

21 Dated: October 6, 2021

22
23 
24 MORRISON C. ENGLAND, JR.
25 SENIOR UNITED STATES DISTRICT JUDGE
26
27
28